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**FACSIMILE TRANSMISSION COVER SHEET**DATE: October 19, 2005

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FROM: Randall K. McCarthy, Registration No. 39,297

TO: Mail Stop AF  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

ADDRESSEE/ORGANIZATION	FAX NO.	TELEPHONE NO.
Art Group 3643	571/273-8300	866/217-9197

RE: Application No. 10/664,259  
In re application of: Thomas L. Byers  
Dkt. No.: OKC00085

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PATENT  
Dkt. OKC00085

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Thomas L. Byers  
Application No.: 10/664,259  
Filed: September 17, 2003  
For: MODULAR ANIMAL ENCLOSURE

Group No.: 3643  
Examiner: A. Valenti

RESPONSE UNDER  
37 C.F.R. § 1.116  
EXPEDITED PROCEDURE  
EXAMINING GROUP

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## AMENDMENT OR RESPONSE AFTER FINAL REJECTION--TRANSMITTAL

1. Transmitted herewith is an amendment after final rejection (37 C.F.R. § 1.116) for this application.

## STATUS

2. Applicant is a small entity. A statement was already filed.

## EXTENSION OF TERM

3. The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply. Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being:

TRANSMISSION  
☒ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

  
Signature

Date: October 19, 2005

Diana C. Anderson

(type or print name of person certifying)

**FEE FOR CLAIMS**

4. The fee for claims (37 C.F.R. 1.16(b)-(d)) has been calculated as shown below:

	(Col.1)		(Col.2)	(Col.3)		SMALL ENTITY
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL	30 MINUS		30	= 0x	\$ 25.00 =	\$ 0.00
INDEP	6 MINUS		6	= 0 x	\$ 100.00 =	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM					+ \$ 0.00 =	\$ 0.00
TOTAL						\$ 0.00
ADDIT. FEE						

No additional fee for claims is required.

**FEE DEFICIENCY**

5. If any additional extension and/or fee is required, charge Deposit Account No. 06-0540.  
If any additional fee for claims is required, charge Deposit Account No. 06-0540.

Date: 10/19/05

Respectfully submitted,



Randall K. McCarthy, Registration No. 39,297  
 Bill D. McCarthy, Registration No. 26,772  
 Daniel P. Dooley, Registration No. 46,369  
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In re application of: Thomas L. Byers

Application No.: 10/664,259

Group Art: 3643

Filed: September 17, 2003

Examiner: A. Valenti

For: MODULAR ANIMAL ENCLOSURE

Mail Stop AF

Commissioner for Patents

P.O. 1450

Alexandria, Virginia 22313-1450

RESPONSE TO FINAL OFFICE ACTION  
MAILED AUGUST 23, 2005

Sir:

This is in response to the final Office Action mailed August 23, 2005.

A Listing of Claims begins on page 2.

Remarks begin on page 11.

## CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a)

I hereby certify that, on the date shown below, this correspondence is being:

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SignatureDate: October 19, 2005Diana C. Anderson  
(type or print name of person certifying)